

1                                   **BEFORE THE WESTERN WASHINGTON**  
2                                   **GROWTH MANAGEMENT HEARINGS BOARD**

3  
4           NANCY DORGAN,

5                                   Petitioner,

Case No. 05-2-0008

6  
7                   v.

**ORDER OF DISMISSAL**

8           JEFFERSON COUNTY,

9                                   Respondent.

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12   THIS Matter comes before the Board upon the joint motion of the Petitioner, Nancy Dorgan,  
13   and the Respondent, Jefferson County, to dismiss the Petition for Review in this case. Joint  
14   Motion to Dismiss the Petition with Prejudice, March 25, 2005. Petitioner filed her petition  
15   for review on February 23, 2005. The petition challenges Jefferson County Ordinance No.  
16   16-1213-04, adopted on December 13, 2004. Notice of adoption was published on  
17   December 22, 2004. Petition for Review, Paragraph 2.

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20   RCW 36.70A.290(2) requires that petitions challenging the compliance of comprehensive  
21   plans, development regulations and amendments to them be filed within 60 days of the date  
22   of publication by the local legislative body. Petitioner filed her petition by mail, depositing  
23   the petition in the U.S. mail on February 22, 2005. However, the Board did not receive the  
24   petition until February 23, 2005.

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27   The Board's rules of practice and procedure provide:

28               The date of filing shall be the date of actual receipt by a board at its office. The date  
29               stamp shall be presumptive evidence of the date of receipt.  
30   WAC 242-02 240(1)

1 Upon review of the rules noted above, Petitioner agrees that she did not comply with the  
2 requirements for timely service of her petition for review and, jointly with the County, brings  
3 a motion to dismiss the petition.  
4

5 **ORDER**

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7 Based on the joint motion of the parties in this case, the Board hereby DISMISSES the  
8 petition for review and closes this case.  
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10 This is a final order pursuant to RCW 36.70A.300(5) and reconsideration pursuant to WAC  
11 242-02-832.  
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13 Entered this 29<sup>th</sup> day of March 2005.  
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Margery Hite, Board Member

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21 Holly Gadbow, Board Member  
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24 Gayle Rothrock, Board Member  
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